

REMARKS

Claims 1, 2, 8, 10, 27 and 30-35 are currently pending in the subject application and are presently under consideration. Claims 1, 2, 8, 34 and 35 have been amended as shown on pp. 2-7 of the Reply. In addition, claim 27 has been cancelled and claims 36-45 have been newly added. Applicants' representative thanks Examiner Chen for the courtesies extended during the telephone interview conducted on March 26, 2008 with applicants' representative, Ron Krosky. The distinctive features of the independent claims in view of the cited references were highlighted; however, no agreement was reached. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Objection of Claims 1-2, 8, 10, 27 and 30-35

Claims 1-2, 8, 10, 27 and 30-35 are objected to because of various informalities. The subject claims have been amended to correct informalities. In light of these amendments, withdrawal of this objection is respectfully requested.

II. Rejection of Claims 34 and 35 Under 35 U.S.C. §101

Claims 34 and 35 stand rejected under 35 U.S.C. §101 because the claimed invention is allegedly directed to non-statutory subject matter. It is respectfully requested that this rejection be withdrawn for at least the following reasons. Claims 34 and 35 have been amended herein to explicitly recite a tangible embodiment. Accordingly, in view of the amendments made herein, withdrawal of this rejection is respectfully requested.

III. Rejection of Claims 1-2, 8, 10, 27 and 30-35 Under 35 U.S.C. §103(a)

Claims 1-2, 8, 10, 27 and 30-35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Holder *et al.* (U.S. 2002/0019824) in view of Lection *et al.* (U.S. 6,418,446). Withdrawal of this rejection is requested for at least the following reasons. The cited references, either alone or in combination, fail to teach or suggest all limitations of the subject claims.

[T]he prior art reference (or references when combined) ***must teach or suggest all the claim limitations***. See MPEP §706.02(j). The ***teaching or suggestion to make the claimed combination*** and the reasonable expectation of success ***must be found in the prior***

art and not based on the Applicant's disclosure. See In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The claimed subject matter relates to accessing data in a data source *via* a hierarchical representation or a relational representation of the data regardless of the structure of the data source (*See Summary*). In particular, independent claim 1 (and similarly independent claim 8) recites *a computer-implemented system for accessing data, comprising a parser that receives and parses information associated with a data source, a data document component that receives a portion of the parsed information, the data document component stores a hierarchical model representation of the portion of the parsed information associated with the data source and a data set component that receives the portion of the parsed information, the data set component stores a relational model representation of the at least a portion of the parsed information associated with the data source, the data set component and the data document component coordinate to enable changes made to the portion of the parsed information stored in the hierarchical model representation to be synchronized to the relational model representation and changes made to the portion of the parsed information stored in the relational model representation to be synchronized to the hierarchical model*. Similarly, independent claim 34 recites *mapping a hierarchical model representation of at least some of the parsed data to a relational model representation of at least some of the parsed data and synchronizing changes made to the hierarchical model representation of the least some of the parsed data with the relational model representation of the at least some of the parsed data based at least in part on the mapping*. Moreover, independent claim 35 recites similar means for mapping and means for synchronizing. Neither Holder *et al.* nor Lection *et al.* teach or suggest such aspects of the subject claims.

Holder *et al.* relates to generically describing and manipulating arbitrary data structures (*See Abstract*). The schema structures of one or more data resources are described in XML files provided to the system (*See paragraphs 62 and 65*). The schema structures are employed to construct a single tree structure of the one or more resources (*See paragraphs 45-49, 62 and 64 and Figs. 1 and 4*). The single tree structure can be manipulated and, further, through the utilization of resource access performers, the manipulations are translated to the one or more resources comprising the single tree (*See paragraphs 67-68*). Thus, Holder *et al.* merges the

structures of one or more resources into a *single* tree structure. Regardless of the underlying structure, Holder *et al.* consolidates to a tree structure. Holder *et al.* is silent regarding storing *both* a hierarchical model representation and a relational model representation of information in a data source and, further, coordinating the two representations such that changes made to one representation are reflected in the other representation as recited by the subject claims. In other words, Holder *et al.* provides a single hierarchical representation of one or more resources while the claimed subject matter enables access to a data source *via* a hierarchical model representation and/or a relational model representation.

In the subject Office Action, Lektion *et al.* is relied upon to in combination with Holder *et al.* Applicants' representative respectfully submits that Lektion *et al.* fails to cure the aforementioned deficiencies of Holder *et al.* with respect to the subject claims. Lektion *et al.* relates to accommodating changing record formats (*e.g.* dynamic schema associated with a repository) without disrupting software code that processes data. In particular, Lektion *et al.* relates to altering a DOM tree of a XML file based upon additional tags inserted into the XML file. Accordingly, Lektion *et al.* relates to changing an XML file by requiring or omitting portions of the file based upon inserted tags. However, Lektion *et al.* focuses on a DOM tree representation and does not teach or suggest a hierarchical model representation *and* a relational model representation of data from a data source. Accordingly, Lektion *et al.* does not cure the deficiencies of Holder *et al.* with respect to the subject claims.

Moreover, the cited references do not teach or suggest synchronization between the hierarchical model representation and the relational model representation such that changes made to one representation are propagated to the another representation. The cited references relate to tree structures based upon a data source and do not teach or suggest a relational model representation based upon the data source that is utilized concurrently with a hierarchical model representation. In the claimed subject matter, both a relational representation and a hierarchical representation of a data source are provided. The relational representation can be accessed in accordance with that from (*e.g.*, accessed as a relational database) and the hierarchical representation can be accessed as, for example, an XML document. Any alterations made to one of the two representations are propagated to the other representation according to a mapping. The cited references nowhere teach or suggest such aspects.

In view of at least the foregoing, it is readily apparent that Holder *et al.* and Lektion *et al.*, either alone or in combination, fail to disclose, teach or suggest each and every limitation recited in the subject claims. Therefore, the cited references do not make obvious applicants' claimed invention and this rejection should be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP250US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN, TUROCY & CALVIN, LLP

/Himanshu S. Amin/

Himanshu S. Amin

Reg. No. 40,894

AMIN, TUROCY & CALVIN, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731